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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 05-00812 RMW
)	
Plaintiff,)	JOINT REQUEST BY THE PARTIES TO
v.)	VACATE THE CURRENT PRETRIAL
)	CONFERENCE AND TRIAL DATES,
SUIBIN ZHANG,)	AND FOR AN ORDER PLACING THIS
)	CASE ON CALENDAR FOR FURTHER
Defendant.)	STATUS AND TRIAL SETTING;
)	ORDER []

Defendant and the government, through their respective counsel, hereby stipulate, subject to the Court's approval, that the trial of the above-captioned case be continued from its currently-scheduled date, March 1, 2010, to a date in late April or May, depending on the Court's calendar. The parties further request that the pretrial conference date of February 4, 2010, along with accompanying schedule for pretrial filings, be vacated, and that this case **be placed on the Court's calendar on January 25, 2010**, for status and trial setting. Finally, the parties agree that the time occasioned by this request should be excluded from the Speedy Trial Clock for the reasons set forth in more detail below.

ORDER

For the reasons set forth by the parties in the stipulation above, and good cause appearing,

IT IS HEREBY ORDERED as follows:

(1) this matter shall be placed on the Court's calendar on **Monday, January 25, 2010, at 9:00 a.m.**, before The Honorable Ronald M. Whyte, United States District Judge, for further status and trial setting;

(2) the Pretrial Conference scheduled for February 4, 2010, is VACATED, with a new date to be scheduled at the hearing on January 25, 2010. The briefing schedule set forth in this Court's Minute Order dated January 4, 2010 is accordingly vacated as well;

(3) the jury trial currently scheduled to begin on March 1, 2010 is VACATED, with a new date to be scheduled at the hearing on January 25, 2010.

(4) as previously ordered, the period of delay between January 4, 2010 and March 1, 2010, is excluded for purposes of Speedy Trial Act computations pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv), based on the foregoing reasons and the reasons set forth by the parties in open court on January 4, 2010.

Date: 1/25/10


RONALD M. WHYTE
United States District Judge